

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JEREMIAH MASSEY, JR.,

Plaintiff(s),

vs.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant(s).

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Case No. 4:08CV0237 JCH
(TCM)

ORDER

This matter is before the Court on Defendant's Motion to Reverse and Remand, filed June 27, 2008. Pursuant to 28 U.S.C. § 636, the Court referred this matter to United States Magistrate Judge Thomas C. Mummert, III, who issued a Report and Recommendation on August 22, 2008. Magistrate Judge Mummert recommends that the Court grant Defendant's Motion to Reverse and Remand. Magistrate Judge Mummert further recommends that the Court reverse and remand this matter to the Commissioner for further proceedings, pursuant to Sentence Four of 42 U.S.C. § 405(g). Neither party has filed objections or otherwise responded to the Report and Recommendation.

After review of the entire record in this matter, the Court concurs in the Magistrate Judge's findings, and will adopt the Report and Recommendation. Accordingly, the Court will grant Defendant's Motion to Remand, and reverse and remand this matter to the Commissioner for further administrative proceedings for further evaluation of Plaintiff's hearing impairment and an assessment of any associated hearing limitations. Specifically, the Administrative Law Judge will be directed to (1) obtain a consultative otology evaluation to include audiology testing, and (2) obtain evidence from

a vocational expert regarding the impact of any hearing limitations on Plaintiff's ability to perform work activity that exists in significant numbers in the national economy.

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of the Magistrate Judge (Doc. No. 15) is adopted and incorporated herein.

IT IS FURTHER ORDERED that Defendant's Motion to Reverse and Remand (Doc. No. 14) is **GRANTED**.

IT IS FURTHER ORDERED that, pursuant to Sentence Four of 42 U.S.C. § 405(g), this matter is reversed and remanded to the Commissioner for further proceedings consistent with the Magistrate Judge's Report and Recommendation and with this Order. A separate Order of Remand shall accompany this Order.

Dated this 14th day of October, 2008.

/s/ Jean C. Hamilton

UNITED STATES DISTRICT JUDGE